

UNITED STATES OF AMERICA

v.

KENDEL ANTHONY MELBOURNE,

Defendant.

24 Mag. 1876

MATTHEW WEINBERG, pursuant to 28 U.S.C. §1746, hereby affirms the truth of the following under penalties of perjury:

2. The defendant was charged in a complaint, dated May 13, 2024, with violating Title 18, United States Code, Sections 1030 and 371. On June 3, 2024, the defendant was arrested and presented before Magistrate Judge Stewart D. Aaron, who ordered the defendant released on bail conditions. The defendant is represented by Ariel Werner, Esq. Following the presentment, defense counsel waived his client's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 21 days of the initial appearance. Accordingly, under the Speedy Trial Act, the Government had until July 3, 2024, within which to file an indictment or information.

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Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until August 2, 2024.

4. On August 2, 2024, Magistrate Judge Gary Stein entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until September 3, 2024.

5. On September 3, 2024, Magistrate Judge Valerie Figueredo entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until October 3, 2024.

6. On October 3, 2024, Magistrate Judge Sarah Netburn entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until November 4, 2024.

7. On November 4, 2024, Magistrate Judge Jennifer E. Willis entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until December 4, 2024.

8. On December 4, 2024, Magistrate Judge Henry J. Ricardo entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until January 3, 2025.

9. On December 27, 2024, Magistrate Judge Sarah Netburn entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until February 3, 2025.

10. On February 3, 2025, Magistrate Judge Ona T. Wang entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have to be filed in this case until March 5, 2025.

11. Defense counsel and I are engaged in discussions concerning a possible


disposition. Those discussions have not been completed, and we plan to continue our discussions, but we do not anticipate a resolution before the deadline under the Speedy Trial Act expires on March 5, 2025.

12. Therefore, the Government is requesting a 30-day continuance until April 4, 2025, to continue the foregoing discussions. Defense counsel consented to this request by email on March 4, 2025.

13. Andrew S. Dember, Deputy Chief of the Criminal Division, has approved this application.

14. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: New York, New York
March 4, 2025



MATTHEW WEINBERG
Assistant United States Attorney
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